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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMAYRANI ARREGUIN,
LIZETTE MENDEZ,
MIGUEL MARTINEZ,
YVETTE GALLEGOS,

Defendants.

CASE NO. 1:21-CR-00095-ADA-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: July 12, 2023

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order, this matter was scheduled for a status conference on July 12, 2023.

2. By this stipulation, the parties request that this case be scheduled for trial on July 30, 2024. All parties are available for this trial date. The parties further request that the trial confirmation hearing be scheduled for July 15, 2024.

3. The parties agree and stipulate, and request that the Court find the following:

a) Initial discovery was transmitted to defendants (except defendant Gallegos, who was joined to the case later) on or about April 15, 2021. This discovery consisted of approximately 880 Bates-numbered items, including audio recordings, data and transcripts of telephone calls

1 intercepted through Court-authorized electronic surveillance, case agent reports, audio and video
2 recordings, photographs, and laboratory results, as well as a recording of post-arrest interviews if
3 any interview took place. The initial discovery was transmitted under cover letter inviting
4 defense counsel to contact the government in the event they wished to inspect any physical
5 evidence seized during the investigation of the case.

6 b) On or about June 14, 2021, the government transmitted supplemental discovery to the
7 defendants, consisting of additional reports of investigation, laboratory results and photographs.

8 c) Following her arraignment on July 22, 2021, the above-referenced discovery was
9 produced to defendant Gallegos on July 27 and August 3, 2021.

10 d) On or about November 19, 2021, the government transmitted supplemental discovery to
11 the defendants, consisting of additional reports of investigation, laboratory results and
12 photographs.

13 e) Two new Assistant United States Attorneys were assigned to this case on December 2,
14 2022. The AUSA's are in active plea negotiations and have made plea offers to defense counsel
15 for these defendants. The parties continue to actively negotiate this matter, but believe it is
16 necessary to schedule it for trial. The United States and defense counsel for all co-defendants
17 continue to refine the terms of potential pleas in this case and may be able to resolve it short of
18 trial.

19 f) Further, regarding Lizette Mendez specifically, there are motions pending before the
20 Court regarding discovery and Mendez's pretrial release. These motions came after Mendez's
21 pretrial release was revoked following her pretrial release violations. Counsel for Mendez and
22 the United States require additional time to resolve the pending motions and continue to engage
23 in plea discussions.

24 g) July 30, 2024 is the earliest available date that all parties are available for trial, taking
25 into consideration the parties' caseload as well as the pretrial investigation and preparation
26 necessary.

27 h) Counsel for all defendants desire additional time to review discovery, consult with their
28 clients, conduct investigation and research related to the charges, and to discuss the plea offers

that have been made by the United States.

i) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

j) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendants in a trial within the original date prescribed by the Speedy Trial Act.

k) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of July 12, 2023 to July 30, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it results from a continuance granted by the Court at defendants' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendants in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act provide that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 5, 2023

PHILLIP A. TALBERT
United States Attorney

By: /s/ ARIN C. HEINZ
ARIN C. HEINZ
Assistant United States Attorney

/s/ DAVID A. TORRES
DAVID A. TORRES
Counsel for defendant Miguel Angel Martinez

/s/ KEVIN P. ROONEY
KEVIN P. ROONEY
Counsel for defendant Lizette Mendez

/s/ BARBARA HOPE O'NEILL
BARBARA HOPE O'NEILL
Counsel for defendant Amayrani Jared Arreguin

/s/ ROGER D. WILSON
ROGER D. WILSON
Counsel for defendant Yvette Gallegos

ORDER

IT IS SO ORDERED that the status conference set for July 12, 2023, is vacated. A Jury Trial is set for **July 30, 2024, at 8:30 a.m. before District Judge Ana de Alba**. A Pretrial Conference is set for **July 15, 2024, at 1:30 p.m. before District Judge Ana de Alba**. Time is excluded through trial pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **July 7, 2023**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE